

MARA FLAMM V. SARNER & ASSOCIATES, P.C., ET AL.

**MOTION OF ATTORNEY DEFENDANTS TO DISMISS PLAINTIFF'S
COMPLAINT PURSUANT TO RULES 12(b)(1) AND 12(b)(6)**

DEFENDANTS' EXHIBIT 7

**December 5, 2001 Deposition Transcript in
Jodi H. Brown, M.D. v. Mara Flamm**

COPY

1 IN THE PHILADELPHIA MUNICIPAL COURT,
2 PHILADELPHIA, PENNSYLVANIA

3 - - -
4 JODI H. BROWN, M.D., :
5 Plaintiff: :
6 vs. :
7 MARA FLAMM, :
8 Defendant: NO. SC-0-02-20-1994
9 - - -

10 - - -
11 December 5, 2001
12 - - -

13 Statement for the record taken at the
14 Law Offices of Sarner & Associates,
15 Eleven Penn Center, 29th Floor, Philadelphia,
16 Pennsylvania, beginning at approximately
17 10:00 a.m. before Angela M. Mazzio,
18 Professional Court Reporter and Notary Public
19 in and for the Commonwealth of Pennsylvania.
20

21 - - -
22 SUMMIT COURT REPORTING, INC.
23 Professional Court Reporters
24 and Videographers
1500 Market Street, 12th Floor - East Tower
Philadelphia, Pennsylvania 19102
(215) 665-5633 * (609) 567-3315

1 APPEARANCES:

2
3 Law Offices of Sarner & Associates
4 BY: LEONARD SARNER, ESQUIRE
5 Eleven Penn Center, 29th Floor
6 1835 Market Street
Philadelphia, Pennsylvania 19103
(215) 496-1396

7 Representing the Plaintiff
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MR. SARNER: This proceeding involves the deposition of Mara Flamm in the case of Jodi H. Brown, M.D. versus Mara Flamm in the Philadelphia Municipal Court, No. SC-01-02-20-1994.

It is now 10 o'clock a.m. on December 5, 2001 at the Law Offices of Sarner & Associates, 1835 Market Street, Eleven Penn Center, 29th Floor, Philadelphia, Pennsylvania 19103.

I am submitting to the court reporter the Notice of Taking Deposition in Aid of Execution issued by the Law Firm of Sarner & Associates by Joshua Sarner, one of the partners, to Mara Flamm in care of Pierce College, 1420 Pine Street, Philadelphia, Pennsylvania 19102-4699. And also sent to her home address at Mara Flamm, 709 S. Schell Street, Philadelphia,

1 Pennsylvania 19147. And I ask that
2 the court reporter place this as an
3 exhibit in this deposition hearing.

4 This law firm has been
5 advised by the husband of Mara Flamm
6 by telephone that the witness
7 scheduled for the deposition will
8 not appear at this hearing.

9 At 10 o'clock, at which time
10 the hearing was to proceed, she is
11 not present in the Law Offices of
12 Sarner & Associates nor in the
13 building, Eleven Penn Center, nor
14 downstairs in the lobby.

15 We will wait until
16 10:30 a.m. to determine if
17 Mrs. Flamm will appear as the
18 deposed witness. If not, the
19 hearing will be closed. It is now
20 five after ten on the scheduled date
21 and we will wait 25 minutes to 10:30
22 and resume the hearing to determine
23 whether she does appear.
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(Whereupon, a short recess
was taken.)

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MR. SARNER: We have
interrupted this proceeding to give
the witness to be deposed, Mara
Flamm, additional time to come to
the Law Offices of Sarner &
Associates, 29th Floor, 1835 Market
Street, Eleven Penn Center,
Philadelphia, Pennsylvania, 19103.

It is now 10:40 a.m. on
December 5, 2001 and Mrs. Flamm has
not appeared at the Offices of
Sarner & Associates, nor has she
been seen or present in the lobby of
the building. Accordingly, the
hearing is closed.

CERTIFICATION

I hereby certify that the proceedings, evidence, and objections noted are contained fully and accurately in the notes taken by me in the hearing of the above matter, and that this is a correct transcript of the same.

Angela M. Mazzio

Angela M. Mazzio

Professional Court Reporter
and Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or supervision of the certifying reporter.)

EXHIBIT

~~FLAMM-1~~

12/5/01 am

SARNER & ASSOCIATES
By: Joshua Sarner, Esquire
I.D. #54463
11 Penn Center, 29th Floor
Philadelphia, PA 19103
215-496-1396
Attorneys for Plaintiff

IN THE PHILADELPHIA MUNICIPAL COURT

JODI H. BROWN, M.D.,

Plaintiff,

No. SC-01-02-20-1994

v.

MARA FLAMM,

Defendant,

NOTICE OF TAKING DEPOSITION IN AID OF EXECUTION

To: Mara Flamm
C/O Peirce College
1420 Pine Street
Philadelphia, PA 19102-4699

Mara Flamm
709 S. Schell Street
Philadelphia, PA 19147

PLEASE TAKE NOTICE that, pursuant to Pennsylvania Rule of Civil Procedure 3117, the undersigned will take the deposition upon oral examination of Mara Flamm, before a notary public or other person authorized by law to administer oaths. The deposition will commence on December 5, 2001, at 10:00 a.m., and continue from day to day until completed, unless otherwise adjourned. The testimony will be taken at the offices of Sarner & Associates, 11 Penn Center - 29th Floor, 1835 Market Street, Philadelphia, PA 19103, at which time and place Defendant is directed to appear and bring with him/her the following:

1. All of Defendant's tax returns and supporting schedules (federal, state and local) which were filed, either individually or jointly, for the calendar years 1998 to the present.
2. All passbooks, statements and deposit slips for the preceding twelve (12) months for any savings account, money market account, trust account, IRA accounts, 401(k) account, KEOGH plan, interest bearing account or similar account at any bank, savings institution, credit union or other financial institution held by Defendant, either individually or jointly.
3. All statements, canceled checks, deposit slips and checkbook registers for the preceding twelve (12) months for any checking account held in Defendant's name, either individually or jointly.
4. All stocks, bonds or other securities of any kind whatsoever owned by Defendant, individually or jointly, a list of all securities held by any other persons, brokerage houses or banks for Defendant in trust, by pledge or otherwise; and all statements, invoices and other documents from brokers or brokerage services in connection therewith.
5. Any and all insurance policies or riders thereto, for the years 1998 to the present, which cover the loss of personal property where the Defendant is a named beneficiary.
6. A list of all real estate owned by Defendant, or in which Defendant has or had any interest of any kind whatsoever, or which someone else held for Defendant in trust or otherwise, during the preceding twelve (12) months.
7. Any and all financial statements whether prepared by or for the Defendant during the preceding twenty-four (24) months.
8. Any application for a loan made by the Defendant, either individually or jointly, during the past twenty-four (24) months.

9. All deeds, indentures, bonds, mortgages, title insurance policies, public liability insurance policies, tax bills, leases, and all other documents evidencing any legal or equitable interest in real estate owned by Defendant, or in which he/she has or had within the last twenty four (24) months any interest of any kind whatsoever or which someone else holds for him/her in trust or otherwise.

10. Any and all certificates of deposit, promissory notes, security agreements, mortgages, mechanic's liens, or other evidences of indebtedness of any kind whatsoever owing to Defendant, individually or jointly, or held for Defendant in trust or otherwise.

11. A list of all motor vehicles, mobile homes, or boats owned by Defendant, either individually or jointly.

12. Any and all vehicle registration cards, titles, insurance policies, and all other documents evidencing any legal or equitable interest in any motor vehicles, mobile homes or boats owned by Defendant during the preceding twenty-four (24) months, or in which the Defendant has had any interest of any kind whatsoever or which someone else holds or has held for the Defendant in trust or otherwise.

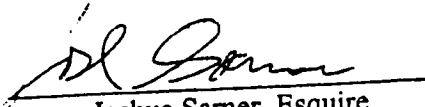
13. All documents reflecting the Defendant's right to receive royalties from any source.

14. The names and locations of all banks or other institutions in which the Defendant rents or rented in the last twenty-four (24) months, a safe deposit box, and the keys thereto.

15. All documents evidencing if the Defendant is a beneficiary of any trust.

SARNER & ASSOCIATES

BY:



Joshua Sarnar, Esquire
Attorney I.D. No. 54463
11 Penn Center - 29th Floor
1835 Market Street
Philadelphia, PA 19103
Phone: 215-496-1396
Fax: 215-568-1044

Dated: 10/19/01